

PCT**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference D0012PCTWO1	FOR FURTHER ACTION	
See Form PCT/IPEA/416		
International application No. PCT/IT2004/000538	International filing date (<i>day/month/year</i>) 30.09.2004	Priority date (<i>day/month/year</i>) 03.10.2003
International Patent Classification (IPC) or national classification and IPC A47C1/121, A47C7/56		
Applicant DOMOLATO, Maurizio		
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of 4 sheets, as follows:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input checked="" type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in Item 4 of Box No. I and the Supplemental Box. <p>b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>		
<p>4. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Box No. I Basis of the opinion <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application 		
Date of submission of the demand 29.04.2005	Date of completion of this report 21.12.2005	
Name and mailing address of the International preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer Jones, C Telephone No. +31 70 340-2972	

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/IT2004/000538

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This report is based on translations from the original language into the following language , which is the language of a translation furnished for the purposes of:
 - international search (under Rules 12.3 and 23.1(b))
 - publication of the international application (under Rule 12.4)
 - international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

Description, Pages

1, 3-5	as originally filed
2, 2bis	received on 29.04.2005 with letter of 27.04.2005

Claims, Numbers

2-10	as originally filed
1	received on 29.04.2005 with letter of 27.04.2005

Drawings, Sheets

1/2, 2/2	as originally filed
----------	---------------------

a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. The amendments have resulted in the cancellation of:
 - the description, pages
 - the claims, Nos.
 - the drawings, sheets/figs
 - the sequence listing (*specify*):
 - any table(s) related to sequence listing (*specify*):
4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - the description, pages
 - the claims, Nos. 1
 - the drawings, sheets/figs
 - the sequence listing (*specify*):
 - any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/IT2004/000538

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims
	No:	Claims 1-10
Inventive step (IS)	Yes:	Claims
	No:	Claims 1-10
Industrial applicability (IA)	Yes:	Claims 1-10
	No:	Claims

2. Citations and explanations (Rule 70.7):

see separate sheet

**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(SEPARATE SHEET)**

International application No.

PCT/IT2004/000538

Re. item I

The amendments filed with the letter received 29.04.2005 introduce subject-matter which extends beyond the content of the application as filed, contrary to Article 34(2)(b) PCT. The amendments concerned are the following:

'in the position of partition screen the vertical portion of the panel (3) and the portion of sitting panel are coplanar'

The above technical characteristic is not indicated in the description or claims of the application and it is furthermore not clear from the drawings 1-4 that said vertical portion of the panel (3) and sitting portion of panel (3) are exactly co-planar. For this to be the case, the additional frame 2 and the frame 1 must form a parallelogram, with the pivots as the corners.

This report has therefore been based on the claims and description of the original application and the written opinion thereon (rule 70.2(c) PCT).

Re item V

1. The following documents are referred to in this communication:

D1 : DE 295 01 720 U (STOL VERTRIEBS GMBH + CO. SITZMOEBEL UND TISCHE KG, 82347 BERNRIED, DE) 23 March 1995 (1995-03-23)

D2 : DE 42 33 398 A1 (BRAUN, DIETER, 75417 MUEHLACKER, DE) 7 April 1994 (1994-04-07)

2. INDEPENDENT CLAIM 1

- 2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

Document D1 discloses a (the references in parentheses applying to Fig. 5 of this document):

**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(SEPARATE SHEET)**

International application No.
PCT/IT2004/000538

vertical structure, having both functions of a seat and/or a partition screen, comprising a pair of upright poles or supports (4), characterised in that it comprises a second quadrilateral articulated structure, or frame (6), which is composed of rods, a panel (3) being attached thereto; said frame (6) being adapted to allow the vertical structure (4) to act as a seat when the rods (6) of the frame are orientated perpendicular to the upright supports, or as a partition screen when the rods (6) and the upright supports coincide.

- 2.2 D1 discloses therefore all the technical features of independent claim 1.
D2 also discloses all the technical features of independent claim 1.
3. **DEPENDENT CLAIMS 2-10**
D1 discloses all the technical features of dependent claims 2-10.
4. In the light of the above comments, it is considered that the present application does not meet the requirements of novelty and inventive (Art 33(2) and 33(3) PCT).

wait in the airport.

The invention, that will be described in greater detail hereafter, has the aim of optimizing all available spaces in which multiple functions are to be provided.

For example, a space divider screen may form both a waiting room and possibly an advertising medium, thanks to the panel contained in the inventive structure. <insert pag. 2bis>

In the scope of the above mentioned purpose, the invention provides a light and sturdy vertical structure, having a panel therein, which can be used as a comfortable seat or as an advertising medium, when needed.

A further feature of the invention is that, by adjoining multiple inventive structures, a space divider screen may be obtained, e.g. forming a waiting room, and the advertising space is increased, as if it were distributed in a single large wall.

Further characteristics and advantages will be more apparent from the description of a preferred, non limiting embodiment of the invention, which is described by way of example and without limitation with the help of the annexed drawings, in which:

25 - Figure 1 is a schematic perspective view of the

BEST AVAILABLE COPY

The structures as claimed in the Patent DE 4233398 and DE 295501720 are known. This structure ascribe to folding seat in which in folding position the seat and the back are not coplanar and in a precise manner the 5 seat folding on the back.

The structures described in the cited prior arts cannot be utilized as divider screens with images.

BEST AVAILABLE COPY

CLAIMS

1. A vertical structure (1), having both functions of a seat and/or a partition screen, comprising a pair of upright poles or supports, characterized in that it comprises a second quadrilateral articulated structure, or frame (2), which is composed of rods (2a, 2b, 2c), a panel (3) being attached thereto; said frame (2) being adapted to allow the vertical structure (1) to act as a seat when the rods (2b) of the frame (2) are oriented perpendicular to the upright supports, or as a partition screen when the rods (2b) and the upright supports coincide, ~~INSERT PAG. 6 BIS~~

2. A vertical structure (1) as claimed in claim 1, characterized in that the frame (2) has end stops (7) mounted on the rods (2b), which abut against the upright supports when the seat position is reached.

3. A vertical structure (1) as claimed in claim 1, characterized in that mechanical or hydraulic means are provided between the frame (2) and the structure (1), such as return springs (20) and/or hydraulic pistons, which are suitably disposed to cause the automatic return from the seat position to the partition screen position.

25 4. A vertical structure (1) as claimed in claim 3,

BEST AVAILABLE COPY

Printed: 19-09-2005

CLMSPAMD
6b1s

IT0400538

in the position of partition screen the vertical portion of the panel (3) and the portion of sitting panel are complanar.

BEST AVAILABLE COPY